

Appl. No. 09/862,830
Attr. Docket No. AA471
Customer No. 27752
Amendment dated January 13, 2005

REMARKS

Claims 1, 2 and 7 are pending. Basis for the amendment is found *inter alia* at page 15, lines 1-4 of the specification.

Rejection Under 35 USC 103(a) Over Ehrlich and Flynn

The Office Action rejects the claims under 35 USC 103(a) independently over Ehrlich (U.S. Patent No. 4,099,912) and Flynn (US 4,563,186). Applicant amends the claims to overcome the rejection.

Applicant respectfully submits the Office Action fails to disclose how Ehrlich and/or Flynn teaches or suggests the claim limitation: "the perfume of said laundry detergent composition and the perfume of said fabric treatment composition, *provide a consistent, additive and/or synergistic odor on a treated fabric article.*"

Furthermore, Ehrlich, at best, consistent with the citation of the Office Action, merely discloses a fabric conditioning composition that is an *admixture* with the detergent. *See* column 11, lines 50-51. As to fabric softening composition of Ehrlich (column 11, line 51), Applicant's proposed amendment includes a claim limitation to a rinse-added fabric conditioning composition (*i.e.*, "a fabric conditioning composition applied to the fabric article during the rinse cycle"). One skilled in the art will readily appreciate that one can not make an admixture of a laundry detergent, which is used to the wash cycle, and a rinse-added fabric softening composition, which is used during the rinse cycle.

Flynn, at best, per the Office Action's characterization, teaches a *prespotter* having separate functions such as fabric softening. One skilled in the art will readily appreciate that a prespotter is used BEFORE the wash cycle. The claims are limited to fabric condition compositions used AFTER the wash cycle.

Still further, Applicant further amends the claim to include "brand name" as a coordinated element as well as including usage instructions indicating to use the laundry detergent composition with the fabric treatment composition and vice versa. Applicant submits the cited references fails to teach or suggest all of these claim limitations. As such, the rejection is overcome.

Appl. No. 09/862,830
Atty. Docket No. AA471
Customer No. 27752
Amendment dated January 13, 2005

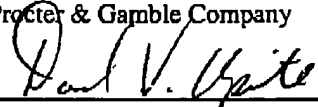
Conclusion

Early and favorable action in the case is respectfully requested.

Respectfully submitted,

The Procter & Gamble Company

By


David V. Upite
Attorney for Applicant
Registration No. 47,147
(513) 627-8150

January 13, 2004
Customer No. 27752
(Amendment-Response to Office Action.doc)
Revised 10/14/2003